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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	<b>BOARD OF HOME INSPECTORS</b>
DATE AND TIME:	<b>Wednesday, October 2, 2012 at 9:30 a.m.</b>
PLACE:	<b>861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room B</b>
APPROVED:	December 5, 2012

**MEMBERS PRESENT**

Donald S. Pyle, Sr., Professional Member, Chair  
Dennis Theoharis, Public Member, Vice Chair  
Daniel C. Eichelberger, Professional Member  
Tim Harriger, Professional Member

**MEMBERS ABSENT**

Joyce Edwards, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Heeney, Deputy Attorney General  
Daniel Stevenson, Deputy Attorney General  
Michele Howard, Administrative Specialist II  
Amanda McAtee, Administrative Specialist II (training)

**PUBLIC PRESENT**

John Kerrigan

**CALL TO ORDER**

Mr. Pyle called the meeting to order at 9:38 a.m.

**REVIEW AND APPROVAL OF MEETING MINUTES**

After review, Mr. Theoharis made a motion, seconded by Mr. Eichelberger, to approve the minutes as presented. The motion carried unanimously.

Mr. Theoharis made a motion, seconded by Mr. Harriger, to amend the agenda to add the review of the legislative memo from Director Collins. The motion carried unanimously.

**UNFINISHED BUSINESS**

REVIEW DRAFT OF RULES & REGULATIONS FROM MS. HEENEY

REVIEW SPREADSHEET OF OTHER STATE LICENSURE REQUIREMENTS FROM MS. HOWARD

CONTINUE DRAFTING RULES & REGULATIONS

Ms. Heeney reviewed the latest draft of Rules and Regulations for the Board.

Regarding the section titled, Definitions [24 Del.C. §4102]: Ms. Heeney stated that the section of definitions may be expanded as the Board continues to draft its rules. Ms. Heeney reviewed the definitions of "active oversight" and "garage" with the Board. Mr. Pyle stated that he misspoke at the last meeting and needed to clarify that the New Castle County real estate contract does in fact

include detached garages in its home inspection clause. Mr. Kerrigan started to speak and was advised by Ms. Heeney that he must first be recognized by the Board President. Mr. Theoharis stated that he has reviewed the laws and rules of other states, and is of the opinion that detached garages should be included in Delaware home inspections. At Mr. Kerrigan's request, Mr. Pyle allowed Mr. Kerrigan to address the Board. Mr. Kerrigan stated that every home is set up in a different way; He questioned if all garages on-site are considered part of a home inspection by law, what happens to the pricing for the home inspection. Mr. Kerrigan further questioned who would make the determination as to what would be considered a detached garage, and what would be considered an outbuilding. Mr. Kerrigan stated that the law must establish a hard scope that is dependable and can be used by home inspectors to determine whether or not a detached building is or is not part of a home inspection.

Mr. Pyle stated that he agreed with Mr. Kerrigan and had "scratched" detached garages at the last meeting. However, Mr. Pyle added, that he now recognizes that the New Castle County real estate contract includes detached garages, and believes that the Board must recognize that. Mr. Eichelberger gave the example of a pole barn with garage doors that has been up-fitted with bedrooms and bathrooms. Mr. Eichelberger stated that any accessory building should be an additional fee, to be worked out between the home inspector and his/her client. Ms. Heeney and Mr. Theoharis reminded the Board that its purpose is to protect the homeowner, not the home inspector, and fees for home inspections are not the Board's concern. Mr. Theoharis stated that it should be the home inspectors' practice to question how many buildings are on a property prior to estimating the inspection price, and added that if a single family home has a detached garage, the garage should be inspected. Mr. Kerrigan reiterated his opinion about fees related to detached garages and stated that there has to be a way for a home inspector to structure his business within the law. Mr. Pyle stated that the home inspector should ask the homeowner if there are any other structures on the property besides the residence to be included in the inspection. Ms. Heeney agreed and stated that the Board must stay within the guidelines of the statute. Mr. Pyle suggested, and Ms. Heeney agreed, that the definition of "garage" should be omitted from the Rules and Regulations.

Mr. Pyle read aloud from a sample New York contract, "home inspections are not required to observe the following: outbuildings other than garages." Ms. Heeney stated that it's an issue between the home inspector and the person who retains the home inspector to do the work. Mr. Harriger stated that he likes the wording of the New York contract, and gave the example of a friend who has three chicken coops on his property with independent power supplies and plumbing. After further discussion, Ms. Heeney suggested that the issue be addressed under "Standards of Practice", since based on the Board's discussion, a definition of "garage" is not helpful under "Definitions."

Regarding the next section of the draft titled, *Grandfather provision [24 Del.C. §4108(d)]*: Ms. Heeney stated that since there has been much discussion about the grandfather licensing provision in the statute, she drafted a rule that she thought would be helpful in the Board's Rules and Regulations. Ms. Heeney explained that she can include an effective date for the rule, and it will quickly become obsolete. Mr. Pyle questioned how the Board would handle a case where an employer refuses to provide an employment affidavit for a previous employee. Ms. Heeney stated that a tax document could be provided as proof of employment.

Mr. Kerrigan requested a copy of the draft Rules and Regulations that the Board was reviewing. Ms. Heeney advised that the draft being discussed was a work in progress. Mr. Kerrigan asked if there could be a public reading of each section of the draft prior to Board discussion. The Board did not object to sharing the document, and Mr. Harriger provided his extra copy to Mr. Kerrigan.

Regarding the section of the draft titled, *Licensure Requirements*: Ms. Heeney summarized the drafted language for the Board. There was no discussion.

Regarding the section of the draft titled, *Education*: Ms. Heeney reviewed the drafted language for the Board. Ms. Howard directed the Board to the spreadsheet of requirements for other states who license home inspectors. Mr. Pyle stated that he believes 140 classroom hours is reasonable based on the requirements of surrounding states; New Jersey is 180 and New York is 140. Mr. Harriger agreed. Ms. Heeney reminded the Board that there will be a public hearing once the draft of Rules and Regulations is complete; the draft Rules and Regulations are not written in stone. Mr. Harriger agreed that 140 hours is acceptable, but questioned whether it would be a requirement of 140 classroom hours or 140 total hours. Mr. Pyle stated that most home inspection schools include both classroom hours and hands-on training. Ms. Heeney asked if the Board wanted to strike the word "classroom" from the draft. Mr. Pyle and Mr. Harriger agreed that the word "classroom" should remain in the draft. Mr. Harriger questioned if the 140 classroom hours would include online courses. Ms. Heeney responded that the Board could specify classroom or online hours. After further discussion, the Board agreed that 140 hours may be taken in a classroom or online as long as the courses are approved by a national home inspectors' association or the Delaware Board of Home Inspectors.

Mr. Pyle recommended that the Board require a Delaware licensure law course, but questioned whether ASHI would approve such a course. (Mr. Harriger left the meeting at 10:18 a.m. and returned at 10:20 am.) If ASHI would not approve a Delaware licensure law course, the Delaware Board of Home Inspectors could approve it.

Ms. Heeney noted that the licensure law for Illinois included a very detailed list of acceptable course curriculum topics for pre-licensing. Ms. Heeney included a list of curriculum in the draft rules for the Board's consideration. After review, Mr. Pyle and Mr. Harriger agreed that the list drafted by Ms. Heeney was acceptable.

Regarding the section of the draft titled, *Registration as trainee [24 Del.C. §4109]*: Mr. Theoharis stated that the current law says an applicant must complete his/her education before beginning an apprenticeship. Mr. Theoharis recommended that it be the applicant's choice as to which order to complete education and apprenticeship, or whether to complete them simultaneously. Mr. Pyle added that an applicant should be able to test at any time. (Mr. Theoharis left the meeting at 10:23 a.m. and returned at 10:31 a.m.) Ms. Heeney pointed out that the statute refers to "training" rather than "apprenticeship". After further discussion, Mr. Harriger stated his opinion that he doesn't see any difference in what order the requirements are met. Mr. Eichelberger and Mr. Harriger agreed that the licensing requirements may be satisfied in any order; It should be up to the applicant to decide the order.

Regarding the section of the draft titled, *Responsibilities of supervising home inspectors*: Mr. Pyle stated that an applicant should be allowed to have multiple supervising home inspectors. Mr. Pyle noted that "supervising home inspector" should be pluralized in the draft of Rules and Regulations. Ms. Heeney stated that the applicant would need a notarized form from each supervising home inspector. Ms. Heeney explained that each supervising home inspector would submit a notarized form for the Board's consideration, stating that the trainee will only perform specific functions, as delineated on the form. Ms. Heeney added that the form from the supervising home inspector should also state that a trainee will only work under the supervision of the licensed home inspector and must identify him/herself to the public as a trainee.

After further discussion, Mr. Eichelberger stated that he had a training log when he was an apprentice, which he maintained and had signed by different supervisors. He added that a supervising home inspector would assign a task to him as a trainee, he would record his hours, and the supervisor would initial the log to verify that the work was successfully completed. Mr. Eichelberger added that if one trainee will be working under multiple supervisors, the burden of proof should be on the trainee (and not the supervisor) to complete the log.

Mr. Harriger questioned if the Board could require trainees to register themselves. Ms. Heeney responded that the Board's statute states that the supervising home inspector must register the trainee. She added that the supervising home inspector is totally responsible for the trainee. Mr. Eichelberger questioned if there was an increased liability for a supervising home inspector. Ms. Heeney responded that the Board's concern is the status of the supervising home inspector's license, not a home inspector's monetary liability. Ms. Heeney added that if a trainee makes a mistake, the supervising home inspector could potentially be brought before the Board for not properly supervising the trainee. Ms. Heeney clarified that the supervising home inspector's responsibility of the trainee would be limited to the time that the trainee is directly working under that supervisor. Ms. Heeney added that recordkeeping will be important to both the trainee and the supervising home inspector. After discussion, Ms. Heeney stated that the Board's law is not structured well because it makes it seem like a supervising home inspector need only "register" a trainee, but does not need Board approval to do so. She added that it may need to be tweaked administratively because it poses a problem. For example, a supervising home inspector may not know if a trainee has a criminal history.

Ms. Howard stated that she envisions the application process as follows:

- The trainee would have a 2-part application form, with one part to be completed by the trainee, and the other to be completed by the supervising home inspector(s) who would submit the entire 2-part document to the Board office.
- The trainee will have to attest on the application (part 1) to certain disclosure questions, such as whether or not he/she is impaired by drugs or alcohol, or whether or not he/she has ever been convicted of a crime; If the trainee attests that he/she has been convicted of a crime, then the trainee will have to submit a criminal background report for the Board's consideration.
- The second part of the application form (part 2) which will be completed by the supervising home inspector would include an affidavit for the supervisor to attest that he/she will be supervising the trainee; There would be a separate affidavit for each supervising home inspector, and all affidavits would be attached to the trainee's portion of the application and submitted to the Board office as one document.
- Once the application is approved, the Division would issue a license or permit to the trainee, including the trainee's name and license number, along with the start and end dates of the training period.

Mr. Pyle questioned, and Ms. Howard responded, that if a trainee wanted to ride with or be supervised by another home inspector, the supervising home inspector would submit an affidavit (application part 2) to the Board office, which would be reviewed by the Board and added to the trainee's licensure file. Ms. Howard added that the Board needs to determine how many supervising home inspectors they will allow one trainee to work under.

Ms. Howard explained the process of delegation of authority to the Board and advised that the Board could decide later which applications/forms it will allow the Division to fast-track, if any. For example, once the licensure process begins, if the Board meets every other month, it may decide that affidavits from supervising home inspectors for trainees that have already been Board-approved may be approved by the Division under delegation of authority, so that training is not held up waiting for a Board meeting that could potentially be two months away. If that were the case, any applications or forms approved by the Division would be listed on the Board's next agenda and would need ratification by the Board at its next meeting.

Mr. Eichelberger stated that the Board's statute was written by Real Estate Appraisers, not Home Inspectors. He added that the statute includes language referring to appraisers that is not relevant for inspectors. Mr. Eichelberger referenced the legislative memo sent out by DPR Director, James Collins, regarding bills for statutory amendments. He stated his concern that the statute is causing some of the Board's problems with drafting Rules and Regulations. Mr. Eichelberger added that he believes that trainees will have a difficult time finding licensed home inspectors willing to take them on and

suggested that the Board give licensed home inspectors some incentive for supervising trainees. Ms. Heeney stated that the Board could consider granting CE credit to licensed home inspectors who supervise trainees. Mr. Eichelberger stated that may encourage a licensee to take somebody along. Mr. Theoharis questioned, and Ms. Heeney responded, that affidavits from supervising home inspectors must be notarized. Mr. Harriger questioned, and Ms. Heeney responded, that in addition to having the trainee's application notarized, each supervising home inspector must attest (by notary) to taking on the trainee and being responsible for him/her.

After further discussion, Ms. Heeney stated that she writes bills for statutory amendments but she does not shepherd bills through the legislature, so she is not conversed in how that works. Ms. Heeney added that based on past conversations with DPR Director, James Collins, she understands the process to be challenging, particularly for a law that was presented to the legislature in one year, and is being brought back before the legislature the following year.

Mr. Kerrigan questioned whether a trainee could potentially have an inspection with one supervisor in the morning, another inspection with a different supervisor in the afternoon, and a third inspection with a third supervisor the next day. Ms. Heeney responded that an affidavit from a supervising home inspector cannot be submitted on the day of an inspection. Ms. Howard clarified that a trainee will be allowed to train under a certain number of supervising home inspectors. If, for example, an application has been approved for a trainee to have 3 supervising home inspectors, and the trainee finds a fourth inspector willing to supervise, then the (fourth) "proposed" supervising home inspector would submit an affidavit (application part 2) to the Board office and it would go through processing. The trainee and (fourth) supervising home inspector would be notified once the affidavit has been reviewed by the Board. Once the trainee and (fourth) supervising home inspector receive confirmation that the affidavit is approved, the trainee may then go to an unlimited number of home inspections with any of the 3 supervising home inspectors who were initially approved with the original application, or with the fourth supervising home inspector who was most recently approved by the Board. Ms. Heeney added that by law, the supervising home inspector must submit the affidavit to the Board; It may be approved administratively and ratified by the Board at a later date, but it must be complete; You cannot submit an affidavit (or full application for that matter) one day and expect to have it approved the next.

Mr. Theoharis questioned, and Ms. Heeney responded, that trainees will only be required to submit a criminal background report if they attest to having a criminal conviction on their application. Mr. Theoharis expressed his concern that the Board really has no way to know if a trainee has a criminal history, other than what they attest to on their application. Mr. Theoharis expressed concern for trainees working in private homes, as well as riding in vehicles with licensed home inspectors. Ms. Heeney stated that when a trainee applies, the trainee will attest to convictions as part of the application process; If the trainee answers yes to having criminal convictions, then the trainee will have to submit a criminal background report; The Board relies on the applicant's honesty. Ms. Heeney added that employers have discretion to require individuals to get criminal background reports, but that's an individual business practice. Ms. Heeney stated that it is incumbent upon the supervising home inspector to supervise trainees at all times. Mr. Eichelberger expressed his opinion that the Board should recommend that the statute be revised to grant the Board the statutory authority to require criminal background checks for all applicants.

Mr. Pyle stated that if a home inspector does not meet the threshold of 100 home inspections under the grandfather provision, the Board should be able to grant credit to the home inspector for inspections performed without requiring them to perform an additional 250 inspections for licensure. Mr. Pyle added that if a home inspector has been in business for 3 years and has completed 200 inspections, then they won't meet the grandfather licensure requirements; The Board should provide a way for those inspectors to receive credit for their previous inspections (200) so they only have to make up the remainder under supervision (50) in order to get licensed. Ms. Heeney advised that when the legislature drafted the law, they wrote the grandfather provision for a reason, which may have been that they

wanted home inspectors to specifically have the stated experience. She added that if an applicant doesn't meet the requirements under the grandfather provision, or does not submit the application by the stated deadline, then the applicant will have to apply under the full licensure requirements which involve a training period in order to obtain 250 supervised home inspections.

Mr. Kerrigan stated that he has an employee who has 1000 inspections over a 2-year period, not a 5-year period as the law requires, and that the law as written will prevent him from feeding his family. Mr. Harriger stated that if the individual is an ASHI member, his 1000 inspections were ASHI-approved, even if they weren't supervised, and he has passed a national exam. Mr. Kerrigan stated his opinion that the law should be changed to state that ASHI members should be granted a license under the grandfather provision. Mr. Pyle responded that the law as written did not give the Board that authority. Mr. Stevenson stated that the Board must work within the parameters of the law. Mr. Kerrigan stated that the situation will create a "TRO". Mr. Eichelberger stated that if the Board wants to change the statute, now is the time to propose it, according to the legislative memo from Director Collins. He added that "it may be a big deal but there's language in there that says we're allowed to determine the value of a house!" Ms. Howard stated that the Board must finalize its Rules and Regulations, including holding public hearings, and draft web pages, applications, forms, etc in order to begin licensing home inspectors in August 2013; If the Board presents a bill to the legislature, the earliest they could review it would be January 2013, and it could be June 2013 before the bill is passed and signed into law; That could potentially give the Board only a couple of months time in order to draft new Rules and Regulations, web pages, applications, forms, press releases, etc, unless the bill also proposed an extension of the effective date. Mr. Eichelberger stated that the current law says that he can appraise a home. He added that the legislature took the law already in place for one profession (Real Estate Appraisers) and tried to make it law for another profession (Home Inspectors) and someone didn't really look into it. Mr. Eichelberger stated that it is not in the public's best interest for the Board to continue on with a miswritten law. Ms. Heeney stated that she will discuss the Board's concerns with Mr. Collins.

Mr. Pyle questioned, and Ms. Heeney responded, that there is no way to grant credit for unsupervised home inspections performed by a home inspector who does not qualify under the grandfather provision. Ms. Howard pointed out that the law gives such persons a 90-day period, from 8/6/13 until 11/4/13, to complete the 100 home inspections required under the grandfather provision. Mr. Eichelberger stated that the 5-year business requirement is a bigger issue than the 100 home inspections. Mr. Kerrigan stated that the basis of a restraining order is to hold things in status quo. He added that if he has an employee currently earning a living in Delaware as a home inspector, and the law dictates that he can no longer earn a living in his profession in Delaware, then we're "heading towards a restraining order." Mr. Kerrigan added that he has been involved in a "TRO" before so he understands how it works. Ms. Heeney stated that the time to fight the law was when it went through Legislative Hall. Again, Mr. Pyle questioned whether there was a way to grant credit for unsupervised home inspections performed by a home inspector who does not qualify under the grandfather provision. Ms. Heeney responded that she doesn't know if that would circumvent the intent of the grandfather provision, as the inspections would have been unsupervised. Ms. Heeney added that she will think about it and get back to the Board after she speaks with Director Collins. (Mr. Harriger left the meeting at 11:05 a.m. and returned at 11:15 a.m.) Ms. Heeney recommended that the Board review all grandfathered applications that are submitted, and not delegate that licensing authority to the Division.

Mr. Theoharis questioned if it was possible for Ms. Heeney to get in touch with the person in the legislature who drafted the original bill, in order to find out the purpose for the 5-year business requirement under the current grandfather provision. Ms. Heeney responded that, generally, the rationale for any licensing provision is to protect the public and make sure people are qualified for licensure.

Ms. Heeney asked for clarification, and Mr. Pyle confirmed, that there will be a limit of 2 trainees per inspection. Mr. Harriger questioned, and Mr. Pyle confirmed, that once a trainee completes training and obtains a Home Inspector's license, he/she can then be a supervising Home Inspector. Mr. Harriger stated that may be premature. Ms. Heeney questioned if the Board wanted to draft a rule that Home Inspectors need practice in the field for a certain length of time before they can supervise a trainee. Mr. Harriger responded that he does not know if the Board wants the responsibility to decide who can supervise a trainee and who cannot. He added that it may be an issue for the Board to address later.

After further discussion, Ms. Heeney stated that she will speak to Director Collins to find out how soon he thinks the Board can go back before the legislature to propose amendments to its law, such as omitting opinion of value from the trainee section, adding Board authority to determine minimum insurance limits and tweaking the grandfather provision.

Regarding the section of the draft titled, *Responsibilities of registered home inspector trainee*: Mr. Pyle stated that he would like to give credit to applicants who do not qualify under the grandfather clause for inspections performed prior to the effective date of the licensure law.

Ms. Heeney stated that the burden would be on the trainee to keep a training log, and to have the supervising home inspector sign off on each inspection.

Mr. Kerrigan stated that 250 home inspections is the most stringent licensure requirement of all surrounding states. Mr. Pyle responded that "it's about protection of the consumer."

Mr. Theoharis left the meeting at 11:45 a.m. and returned at 11:47 a.m.

Regarding the section of the draft titled, *Examination*:

Ms. Heeney questioned, and Mr. Pyle and Mr. Theoharis confirmed, the following:

- Prior to submitting an application, the applicant must have passed the exam;
- The exam may be taken at any time; and
- The testing service, not the Board, shall determine how often an applicant may test.

Regarding the section of the draft titled, *Lapse and Renewal of Licenses*:

The Board debated over the length of the late renewal period, considering both a 6-month and 1-year late renewal. Ms. Howard advised the Board that licensees cannot practice under a lapsed or inactive license. Ms. Heeney stated that continuing education must be completed by the time a license expires, and added that licensees who have not satisfied the continuing education requirement must request an extension for certain hardship reasons PRIOR to the license renewal date.

After much discussion, the Board agreed that licensees shall have 6 months to late-renew. Within 6 months of the license lapsing, the licensee may late-renew by paying the late fee and showing proof of completing the required continuing education. In order to reactivate after the 6-month late period, the applicant must reapply as follows:

- If more than 6 months, but less than 1 year, has passed since the date the license lapsed, then the applicant must
  - Reapply as a new Home Inspector, and
  - Show proof of completion of the education used for initial licensure, and
  - Show proof of a passing exam score, and
  - Show proof that 250 supervised inspections were performed (or proof that the applicant qualified initially under the grandfather provision), and
  - Pay the application fee, and
  - Show proof of completion of 40 continuing education units taken within the previous 2-year period.
- If more than 1 year has passed since the date the license lapsed, then the applicant must:

- Reapply as a Home Inspector Trainee, and
- Retake and pass a national exam, and
- Retake the required pre-licensure education, and
- Complete 250 new supervised home inspections.

Regarding the section of the draft titled, *Inactive License or Certificate; Expiration; Reactivation:*

After much discussion, the Board agreed that a licensee may place his/her license on inactive status for a maximum of three years.

- Within the 3-year period of inactive licensure, a licensee may reactivate a license by showing proof of completing 40 continuing education credits within the previous 2-year period.
- If more than 3 years, but less than 4 years, has passed since the license was placed on inactive status, then the licensee must
  - Reapply as a Home Inspector, and
  - Show proof of completion of the education used for initial licensure, and
  - Show proof of a passing exam score, and
  - Show proof that 250 supervised inspections were performed (or proof that the applicant qualified initially under the grandfather provision), and
  - Pay the application fee, and
  - Show proof of completion of 40 continuing education units taken within the previous 2-year period.
- If more than 4 years has passed since a license was placed on inactive status, then the applicant must:
  - Reapply as a Home Inspector Trainee, and
  - Retake and pass a national exam, and
  - Retake the required pre-licensure education, and
  - Complete 250 new supervised home inspections.

Regarding the section of the draft titled, *Code of Ethics:*

Ms. Heeney stated that a Code of Ethics and/or Code of Conduct needs to be in the Board's Rules and Regulations.

Mr. Kerrigan asked if the Board would be discussing advertising policies at this meeting. Mr. Pyle responded, "we'll see if we can get to it."

Regarding the section of the draft titled, *Continuing Education ("CE"):*

After discussion, the Board agreed that licensees will be required to earn 40 continuing education units during each 2-year licensure period. The Board will accept any CE program accredited by 1 of 3 national home inspector associations, or approved by the Delaware Board. The Board will accept different types of continuing education, such as classroom courses, online courses, teaching, roundtables, etc. Mr. Theoharis stated his opinion that 40 CEUs is too high based on the continuing education requirements of home inspector licensing boards in other states. The Board's professional members disagreed with Mr. Theoharis, stating that 40 CEUs is acceptable.

Mr. Theoharis questioned whether Ms. Heeney had considered a severability clause, "in case someone challenges something, the whole thing doesn't get thrown out." Ms. Heeney will review severability clauses at the next meeting.

Mr. Kerrigan questioned whether an ASHI-approved business management course that he recently completed would be acceptable to the Board. Ms. Howard read aloud from the Board's statute that "CE programs must be structured to maintain or increase a licensee's skill, knowledge and competency in home inspection", and noted that there could be some debate among Board members as to whether or not an ASHI-approved business management course, for example, would be acceptable to the Board. Mr. Pyle stated that he is fine with business management courses. Mr. Eichelberger stated



that the Board should limit how many credits are acceptable for business management courses, as opposed to practical courses. Mr. Pyle proposed that the Board accept a maximum of 8 CEUs for business management courses every 2-year licensure period. The Board agreed that licensees will not be able to carry over CEUs from a previous licensure period. Mr. Pyle stated that he will bring the ASHI CE form to the Board's next meeting for informational purposes.

Mr. Harriger left the meeting at 12:32 p.m. and returned at 12:35 p.m.

Ms. Heeney asked the Board members to review ASHI's Code of Ethics and Professional Standards for discussion at the next meeting. She also recommended that Board members review rules of other states to see if there are any changes the Board should consider.

### **NEW BUSINESS**

#### **Legislative Memo from Director Collins**

Ms. Heeney stated that she will discuss the possibility of a Home Inspectors bill with Mr. Collins. She advised the Board that in her opinion, drafting Rules and Regulations take precedence and suggested that the Board consider submitting a bill next year.

Mr. Eichelberger stated that the Board should submit a bill to amend its statute because the Board is drafting rules based on laws that really don't apply to this profession or make any sense. Mr. Pyle questioned the preferred timeline for completing its Rules and Regulations. Ms. Heeney stated that she would like to have the Rules and Regulations published before May 2013. Ms. Howard added that once the Board has finished its initial draft and held a public hearing, the Division will still have to create the Board's website, applications, forms, press releases, etc, and needs as much time as possible to complete the administrative tasks. Ms. Howard clarified that 6 months from the licensure deadline would be February 2013. Ms. Heeney stated that the Board needs to meet monthly, and may need to meet more often than monthly "if we get bogged down."

### **OTHER BUSINESS BEFORE THE BOARD (for discussion only)**

Mr. Theoharis reminded Ms. Heeney that the Board wants to issue a press release to inform the public that home inspectors will need to be licensed effective August 2013.

### **PUBLIC COMMENT** - None

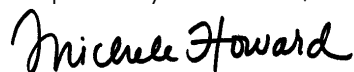
### **NEXT MEETING**

Mr. Theoharis advised the Board that Ms. Edwards cannot meet on Tuesdays or Thursdays. He added that he will be unable to meet beginning 10/25/12 for 2-3 months due to knee surgery. Ms. Howard will schedule the November meeting and email the date and time to the Board.

### **ADJOURNMENT**

There being no further business to discuss, the Board adjourned the meeting at 12:42 p.m. Mr. Theoharis made a motion, seconded by Mr. Eichelberger, to adjourn the meeting. The motion to adjourn carried unanimously.

Respectfully Submitted,



Michele Howard  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*